

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING

May 14, 1997
MAG Office Building
Phoenix, Arizona

MEMBERS ATTENDING

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| Frank Fairbanks, Phoenix, Acting Chairman | Mike Hutchinson for Charles Luster, Mesa |
| Ruben Duran for Carlos Palma, Avondale | Jim Siket, Paradise Valley |
| *Delbert Self, Buckeye | Peter Harvey, Peoria |
| *Jon Pearson, Carefree | *Cynthia Seelhammer, Queen Creek |
| *Larry Paine, Cave Creek | *David Easchief, Salt River Pima-Maricopa Indian Community |
| Lloyd Harrell, Chandler | Barbara Burns for Dick Bowers, Scottsdale |
| *Rosalinda Herrera, El Mirage | Mike Branham for Dick McComb, Surprise |
| *Paul Nordin, Fountain Hills | Gary Brown, Tempe |
| David Howard, Gila Bend | Reyes Medrano for Ralph Velez, Tolleson |
| *Urban Giff, Gila River Indian Community | David Siegel, Wickenburg |
| Kent Cooper, Gilbert | *Lloyce Robinson, Youngtown |
| Ed Beasley for Martin Vanacour, Glendale | Tom Buick for David Smith, Maricopa County |
| Doug Sanders for Stephen S. Cleveland, Goodyear | Victor Mendez for Larry Bonine, ADOT |
| *Enrique Serna, Guadalupe | Ken Driggs, RPTA |
| Robert Musselwhite, Litchfield Park | |

*Those members neither present nor represented by proxy.

OTHERS PRESENT

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| Terry Johnson, MAG | Dianne Barker |
| Doug Eberhart, MAG | Paul Walker, Luke Air Force Base |
| Michael Bruder, ADOT | Paul Ward, MAGTPO |
| Jeff Martin, Mesa | Roger Herzog, MAG |
| Peggy Carpenter, Scottsdale | Lindy Bauer, MAG |
| Jim Huling, Tempe | Julia Hardt, MAG |
| Chuck Eaton, ADOT | Lisa Takata, Phoenix |
| Eric Anderson, MAG | Marjorie Bresnahan, MCDOT |
| Stuart Goodman, Glendale | Steve Jimenez, ADOT |
| Debbie Kohn, Avondale | Norris Nordvold, Phoenix |
| Christopher Cole, Maricopa County Library District | William C. "Blue" Crowley |
| William Scalzo, Maricopa County Library District | James M. Bourey, MAG |
| Barbara Carpenter, MAG | Dennis Smith, MAG |
| | Angela Gee, MAG |

1. Call to Order

The meeting was called to order by Acting Chairman Kent Cooper, Gilbert, at 12:13 p.m. Acting Chairman Cooper introduced the following proxies: Ruben Duran for the City of Avondale, Ed Beasley for the City of Glendale, Doug Sanders for the City of Goodyear, Barbara Burns for the City of Scottsdale, Mike Branham for the City of Surprise, Reyes Medrano for the City of Tolleson, Tom Buick for Maricopa County and Victor Mendez for ADOT.

2. Approval of April 16, 1997 Meeting Minutes

Acting Chairman Cooper requested the April 16, 1997 minutes reflect the correction that David Howard, Gila Bend was present. Acting Chairman Cooper moved, Mike Branham seconded, and it was unanimously carried to approve the minutes of the April 16, 1997 Management Committee meeting.

3. Call to the Audience

Blue Crowley expressed his concern regarding the lack of alternative modes of transportation available to the citizens in this region.

4. Executive Director's Report

Prior to the Executive Director's Report, Vice Chairman Frank Fairbanks arrived and assumed the duties of the Acting Chairman. James M. Bourey provided a report to the Management Committee on activities of general interest. Mr. Bourey called attention to the new Bikeways map, copies which will be provided to each jurisdiction. Mr. Bourey indicated that the transition to the MAG payroll change would take place on July 1, 1997. Mr. Bourey stated it would be one month before the MAG office moved to its new location and that furniture has been ordered, as well as the phone system. Mr. Bourey indicated that the tenant improvement was underway. Mr. Bourey stated that the new MAG phone number would be changed from the old number of 254-6308 to the new number, 254-6300 with additional rolling phone numbers. Mr. Bourey stated that MAG had contracts in place for electrical wiring, cabling, and new computers as well as others. Mr. Bourey indicated that he felt very optimistic about the progress related to the move.

Mr. Bourey stated he attended the Arizona Town Hall last week where many issues were discussed. Mr. Bourey provided a brief overview of the issues discussed at that meeting.

Mr. Bourey stated that he was invited to a meeting that will address regional issues the first part of June in upstate New York. Mr. Bourey indicated that many individuals involved in regional policy and research would be present at this meeting. Mr. Bourey invited the mayors and others who may be interested to attend this meeting. Chairman Fairbanks indicated his support to Mr. Bourey regarding the depth and strength of his efforts to have outreach with other regional councils.

5. Approval of Consent Agenda

Prior to the approval of the consent agenda, Chairman Fairbanks asked if any members of the Management Committee wished to have any of the items removed from the consent agenda. Mike Branham moved, Kent Cooper seconded, and it was unanimously carried to approve items 6 and 7 on the consent agenda.

6. Intelligent Transportation System Committee Roles and Responsibilities

The Management Committee approved, by consent, the Draft Roles and Responsibilities for the MAG Intelligent Transportation System Committee.

7. Conformity Consultation for I-17/Bell Road Park-and-Ride Lot

On the consent agenda, the Management Committee was presented with the draft conformity findings prepared by the City of Phoenix, for a new Park-and-Ride lot to be constructed in the vicinity of Interstate 17 and Bell Road. This item was for consultation.

8. Revised Loan Reimbursement Guidelines Recommended by the MAG Ad Hoc Transportation Study Group

Mr. Bourey indicated that the Ad Hoc Transportation Study Group (Group) made recommendations regarding financing alternatives for accelerating the MAG Regional Freeway System. Mr. Bourey indicated that nine city managers from throughout the region participated on the Group. The Group was chaired by Frank Fairbanks from the City of Phoenix. Mr. Bourey mentioned that the Group held three meetings and extensively reviewed the Loan Reimbursement Guidelines for the MAG Regional Freeway System. Mr. Bourey stated that the work sessions were excellent, with managers from throughout the region agreeing to concessions for the sake of the overall Freeway System Plan. Mr. Bourey then introduced Eric Anderson who provided a summary to the Management Committee.

Mr. Anderson pointed out to the Management Committee some of the major points which the Group recommended as amendments to the Guidelines. Mr. Anderson indicated that interest/inflation reimbursement will be calculated at the rate of one half of the discount factor, which is set annually by the Arizona Department of Transportation (ADOT) for the Freeway Program. Mr. Anderson stated that up to one half of the ADOT discount factor savings would be paid to the jurisdiction advancing the funds. Mr. Anderson further indicated that no project, portion, or segment in the adopted regional segment is to be adversely impact, delayed, reduced, or removed from the adopted Freeway Program as a result of the acceleration of another project or with respect to meeting air quality conformity requirements. Mr. Anderson also pointed out that the community may opt out of the acceleration and revert back to the original project schedule as long as all non-recoverable costs incurred or committed are paid for by the jurisdiction. Mr. Anderson then asked the Management Committee if they had any questions.

Vice Chairman Fairbanks indicated that as the Chairman of the Ad Hoc Transportation Group, he commended the managers who participated in the Group since they clearly acted in a spirit of regional compromise to problem solve issues within the MAG region. Vice Chairman Fairbanks stated that he was proud to be part of these groups since he witnessed major concessions, the Group stayed with the task at hand, and the Group members made recommendations that would benefit the Freeway Program. Victor Mendez indicated he will share the information from the MAG Ad Hoc Transportation Group with the State Transportation Board.

Peter Harvey moved, Gary Brown seconded, and it was unanimously carried to approve the revised Loan Reimbursement Guidelines for the MAG Regional Freeway System.

9. Requested Changes to the MAG Freeway Program

Eric Anderson presented the requested changes to the Draft Tentative 1998-2006 Life Cycle Regional Freeway Program by Arizona Department of Transportation. Mr. Anderson indicated that most of the changes involve repackaging of projects and do not impact the Program's schedule or budget. Mr. Anderson stated that three requested changes which impacted the budget of the Program. He indicated those projects included a \$671,000 payment for the use of Bureau of Reclamation land north of the Central Arizona Project, a \$2.85 million increase for frontage roads for the Shea Boulevard to Pima section north of Frank Lloyd Wright Boulevard, and a \$500,000 increase in the design change order budget. Mr. Anderson also stated there was a two-month delay in the I-17 to 56th Street interim construction project since the Environmental Impact Statement had been submitted to the appropriate federal government for comment and had not yet been finalized. Mr. Harvey inquired about the \$671,000 amount for the replacement of recreational use of land and compensation for property. Mr. Harvey stated that since the project impacts Central Arizona Project capital costs, would it be possible to reduce these costs. Vice Chairman Fairbanks indicated there were many issues involved, and that if Management Committee members wanted further information, they should call Central Arizona Water Conservation District (CAWCD). Mr. Harvey indicated he would contact CAWCD. Mr. Harrell moved, Mr. Branham seconded, and it was unanimously carried to approve the requested changes to the MAG Regional Freeway Program.

10. Close Out of FY 1997 MAG Federally-Funded Program

Paul Ward provided information regarding the Transportation Review Committee (TRC) recommendations on the close out of the FY 1997 MAG federally funded program. Mr. Ward discussed the three actions recommended by the Committee which included: (1) the carrying forward of projects; (2) utilizing the obligation authority; and (3) requesting redistributed obligation authority to increase the level of federal funding for existing local projects.

Mr. Ward indicated that the TRC recommended carrying forward three projects totaling \$2.6 million, and that the unused 1997 obligation authority be used to forward transit projects. Mr. Ward stated that the TRC recommended utilizing the unused Obligation Authority (OA) to accelerate transit vehicles from FY 1998 to FY 1997. The third part of the close out recommendation was to request from ADOT, \$860,560 in redistributed OA be used to maximize federal funding of four projects in Mesa, Peoria, Scottsdale, and Tempe. Mr. Ward stated that prior to the Management Committee, May 6, 1997 mailout, the City of Scottsdale withdrew its second request.

Mr. Crowley commented about the Bikeways map and stated that it was his opinion that it was more than a visual aid. Mr. Crowley inquired about the route along the Grand Canal with a gap at I-17. Mr. Crowley asked when Phoenix and ADOT would respond to the large gaping hole. Mr. Crowley inquired why the Management Committee was doing wrong and stated he would appreciate the Committee if they would do their job. Mr. Crowley indicated he would make an effort to contribute as well. Mr. Crowley stated that Route 13, Grand Avenue was not on the Bikeways map, and that Vice Chairman Fairbanks had responded to Mr. Crowley's earlier query indicating that a bikeway could not be put on Grand Avenue because it would require the removal of a lane of traffic. Mr. Crowley stated to the Management Committee that prior to the meeting, he had seen only one vehicle with two passengers inside. Mr. Crowley indicated that he had previously asked a representative of RPTA, Lindy Bauer, MAG Environmental Programs Manager, and a member of the Regional Council why these MAG Committee members were part of and not the solution to air quality problems.

Ruben Duran moved, Tom Buick seconded, and it was unanimously carried to approve: (1) the following carry forward projects totaling \$2.6 million, Maricopa County, McClintock Rd., Red Mountain Freeway to McKellips Road (\$2.2 million); Glendale, 51st Ave., Brown Ave., to Peoria Ave. (\$250,000); and Scottsdale, McDowell Rd., 77th St. to 64th Street (\$151,360); (2) Utilize the obligation authority available from the carry forward projects to accelerate the purchase of transit vehicles from FY 1998 to FY 1997; and (3) Request redistributed obligation authority from ADOT in order that the following existing projects be priorities to receive the full level of federal funding; additional amounts are Mesa, Stapley Dr., Baseline Rd., to US 60 road widening (\$595,000); Peoria, traffic signals synchronization (\$143,000); Scottsdale, Pima Rd., bike lanes (\$48,560); and Tempe, Mill Ave. Bridge and Curry Rd., Mill Ave. to College Ave., Ped./bike lanes (totaling \$74,000).

11. Regional Master Plan for Local Government Libraries

Mike Hutchinson, Chairman of the MAG County Library District Coordination Task Force, refreshed the Management Committee with the six recommendations in the MAG report, Funding Local Government Libraries FY 1993 - FY 2000, which the MAG Regional Council approved on October 26, 1994. Mr. Hutchinson stated that one of the recommendations in the report called for the development of a regional library master plan. On March 20, 1997, the Maricopa County Library Council approved its draft of the Maricopa County Library Master Plan. The draft was sent to the members of the MAG Task Force for review and comment, none which were received. William Scalzo and Christopher Cole were present from the Maricopa County Library District to answer any questions from the members of the Management Committee.

Ruben Duran strongly recommended that the Library District allow for public comment. Mr. Scalzo indicated that he was present when the 12 member Library District Citizens Advisory Committee accepted the master plan. Mr. Scalzo indicated he welcomed public comment.

Vice Chairman Frank Fairbanks asked how often the plan will be reviewed. Mr. Cole indicated that the database and mapping would be updated annually. Vice Chairman Fairbanks asked if public input should be solicited now or upon the next review. Mr. Duran stated that it was important to receive input. Vice Chairman Fairbanks asked whether it was last minute stopping on the tracks or whether the plan would be distributed broadly with the intent to solicit broad input at each stage of the process. Mr. Hutchinson suggested that the Library Council request four public meetings over the next 30 days with recommendations forwarded to the Regional Council in June.

Mr. Scalzo explained that utilizing a master plan process would probably save thousands of dollars by including all library directors. He stated that adding the public process is fitting, and that this was a good, effective process. Vice Chairman Fairbanks stated that MAG agreed that he was pleased with the quality of the plan and added that MAG was committed to efficiency, effectiveness, and openness. Mr. Hutchinson moved, and Mr. Duran seconded, and it was unanimously carried to request the Maricopa County Library Council to hold four public meetings over the next 30 days to solicit public input on the proposed master plan and to take recommendations to the MAG Regional Council in June. Ken Driggs and Victor Mendez were non-voting members.

12. MAG Annual Audit for the Year Ending June 30, 1996

Dennis Smith presented a summary of the MAG Annual Audit for the year ending June 30, 1996, completed by the accounting firm of Arthur Andersen LLP. Mr. Smith indicated that MAG bylaws require an annual audit. He requested that the Management Committee accept the Audit and its

findings which indicate that MAG conducted its activities in conformance with the laws and regulations governing federal financial assistance programs and according to generally accepted accounting principles. Mr. Smith indicated that the audit was not completed in a timely manner primarily due to the extra effort needed to account for the 1995 special census. Mr. Smith recommended in the future, that MAG contract out personnel to carry out the special census. Mr. Driggs moved and Robert Musselwhite seconded the motion.

Dianne Barker indicated her opposition that the Management Committee would approve the audit without public input in the position paper. Ms. Barker stated that the audit must comply with state and local government laws. Ms. Barker stated that it was her opinion that the audit was not in compliance. Ms. Barker stated the audit was a general purpose finance statement which should be free of material misstatements. Ms. Barker submitted that the Audit was just a report, and that it was not written in the interest of satisfying auditing requirements. Ms. Barker questioned Mr. Driggs and asked him if RPTA had used public funds for federal lobbying purposes. Steven Clark stated that MAG, the City of Phoenix, and RPTA representatives have been provided with copies of the audit, but they have not read the audit. Mr. Clark stated that it was his opinion that the public wishes accounting to follow government standards. Mr. Crowley stated that he believed that the Management Committee quorum was lost and he wished to defer his three minutes to Ms. Barker.

Mr. Driggs indicated that the MAG Audit was performed without question by an auditor and that RPTA has not used federal funds for federal lobbying purposes. Mr. Driggs indicated he did not appreciate comments that RPTA has used federal funds for federal lobbying purposes.

Mr. Duran stated to the Management Committee that the MAG audit was reviewed by the Avondale finance director. Mr. Duran stated that his finance director was comfortable with the findings. Mr. Duran indicated that Arthur Anderson had followed generally accepted accounting principles. Mr. Harvey inquired whether a representative from Arthur Anderson would be present at the Regional Council meeting to answer any questions which may arise. Mr. Bourey stated that an Arthur Anderson representative would be present at the meeting.

Following these comments, Vice Chairman Fairbanks called for a vote and it was unanimously carried to approve the MAG Annual Audit for the year ending June 30, 1996.

13. Proposed FY 1998 MAG Unified Planning Work Program

Dennis Smith provided a report on the proposed FY 1998 MAG Unified Planning Work Program. He indicated that the dues and special assessments would remain the same for FY 1998.

Mr. Smith stated that some projects were eliminated from the potential list of projects provided to the Management Committee in February. He indicated that some of these may be included in the 1999 UPWP. Mr. Smith indicated that the in kind contributions provided by member agencies were important and he thanked the Management Committee for their contributions.

Gary Brown asked whether or not MAG had enough staff to do what MAG hopes to do. Mr. Bourey stated that he hoped so and stated that he and Mr. Smith were currently interviewing individuals for the positions of public information officer, systems-network manager, and fiscal services manager. Mr. Bourey indicated that he would evaluate staffing needs in the future, but currently he was optimistic about MAG's separation from the League and the consolidation of county staff. Mr. Bourey stated that MAG's staffing needs must be carefully analyzed.

Ms. Barker stated her thankfulness of the immediacy of MAG staff in their response and answering of her questions. Ms. Barker asked who were the members of the IPG. Mr. Smith stated that the agenda material lists those individuals who were in attendance.

Mr. Crowley indicated that it was his opinion that the Management Committee had violated Robert's Rules. Vice Chairman Fairbanks asked Mr. Crowley to keep his comments relating to an agenda item and that he not make any attacks or comments about anyone personally. Mr. Crowley then pointed out to the Management Committee pages in the Regional Public Transportation Authority's Short Range Transportation Improvement Plans and indicated its compliance with the Americans with Disabilities Act. Mr. Crowley referred to short range transportation improvement plans in the FY 1996-97 issue and the FY 1995-96 issue. Mr. Crowley further stated that in both issues, the citizens which reside south of 19th Avenue were quoted as having involvement with the Short Range Transportation Improvement Plans, however, this was not noted in these plans.

Following discussion, Mr. Driggs moved, Mr. Branham seconded, and it was unanimously carried to approve the FY 1998 UPWP; to amend the 1997 MAG UPWP to incorporate the reprogramming of funds; to approve the \$130,000 dues assessment, the \$25,000 solid waste special assessment, the \$60,000 water quality planning assessment, and the \$30,000 9-1-1 special assessment; to authorize the Chairman of the Regional Council to execute the necessary documents to receive the funding; and to authorize the MAG Executive Director to make administrative changes to the UPWP, and execute the staffing contracts pursuant to the Work Program for transportation, financial, and legal services.

Vice Chairman Fairbanks reiterated to Mr. Crowley that the Management Committee maintained a quorum every single moment of the meeting. Victor Mendez stated that the Committee needed a clear quorum, and that they had cut it close this meeting.

Mr. Bourey stated he had met Chairman Steve Cleveland and discussed projects at the prior Regional Vision meeting.

Mr. Harvey stated that AMWAR meetings may be a conflict.

Mr. Branham requested that two members of the Management Committee be recognized, as it would be their last meeting. The Management Committee members then recognized Jim Siket and Peter Harvey.

The meeting was adjourned at 1:15 p.m.

Chairman

Secretary